

POST 9-11 GI BILL ELIGIBILITY AND BENEFITS

Date Signed: 6/29/2009

MARADMIN Active Number: 0389/09 2009

R 292102Z JUN 09

UNCLASSIFIED//

MARADMIN 0389/09

MSGID/GENADMIN,USMTF,2007/CMC WASHINGTON DC MRA MP//

SUBJ/POST 9-11 GI BILL ELIGIBILITY AND BENEFITS//

REF/A/MSGID:DOC/HR2642/YMD:20080630//

REF/B/MSGID:DOC/OSD-PR/YMD:20090622//

NARR/REF A IS PUBLIC LAW 110-252, THE SUPPLEMENTAL APPROPRIATIONS ACT OF 2008. TITLE V OF REF A IS THE POST 9-11 EDUCATIONAL ASSISTANCE ACT OF 2008. REF B IS DIRECTIVE TYPE MEMORANDUM, 09-003: POST 9-11 GI BILL.//

POC/K. CERNY/CIV/UNIT:MPO/-/TEL:(703) 784-9388/TEL:DSN 278-9388//

POC/M. K. DEICHAERT/MAJ/UNIT:MPO/-/TEL:(703) 784-9386//

GENTEXT/REMARKS/1. ON 30 JUNE 2008, THE PRESIDENT SIGNED INTO LAW A NEW VETERAN'S EDUCATIONAL ASSISTANCE ACT, THE POST 9-11 GI BILL, WHICH BECOMES EFFECTIVE 1 AUGUST 2009.

2. THIS MARADMIN IS DESIGNED TO PROVIDE INFORMATION ON THE POST 9-11 GI BILL. THE FOLLOWING SHOULD BE CONSIDERED AS A MARINE PLANS HIS/HER MARINE CORPS CAREER AND HIS/HER INDIVIDUAL AND FAMILY'S EDUCATION NEEDS.

3. THE DEPARTMENT OF VETERANS AFFAIRS (DVA) IS RESPONSIBLE FOR FINAL DETERMINATION OF ELIGIBILITY FOR EDUCATIONAL BENEFITS UNDER THIS PROGRAM. GENERAL ELIGIBILITY CRITERIA ARE AS FOLLOWS:

A. MEMBER MUST HAVE ACCRUED SPECIFIC QUALIFYING ACTIVE DUTY SERVICE, ON OR AFTER, 11 SEPTEMBER 2001 OF:

(1) AT LEAST 30 CONTINUOUS DAYS OF QUALIFYING ACTIVE DUTY SERVICE IF DISCHARGED DUE TO A SERVICE-CONNECTED DISABILITY OR;

(2) BETWEEN 90 DAYS AND 36 MONTHS OR MORE OF TOTAL AGGREGATE QUALIFYING ACTIVE DUTY SERVICE.

B. QUALIFYING ACTIVE DUTY SERVICE IS DEFINED AS:

(1) FOR ACTIVE DUTY MEMBERS, ACTIVE DUTY SERVED IN THE REGULAR COMPONENT OF THE MARINE CORPS.

(2) FOR SELECTED RESERVE MEMBERS (SELRES), ORDERED TO ACTIVE DUTY UNDER TITLE 10, SECTIONS 688, 12301(A), 12301(D), 12301(G), 12302 AND 12304 (ORDERS IN SUPPORT OF CONTINGENCY OPERATIONS, I.E., MOBILIZATION).

C. MEMBER MUST HAVE RECEIVED AN HONORABLE DISCHARGE AT THE CONCLUSION OF ACTIVE DUTY SERVICE.

4. EXCEPTIONS TO QUALIFYING ACTIVE DUTY SERVICE:

A. FOR MEMBERS WITH LESS THAN 24 MONTHS OF AGGREGATE QUALIFYING ACTIVE DUTY SERVICE, TIME SPENT IN INITIAL ENTRY LEVEL AND SKILL TRAINING (I.E., COMPLETION OF THE BASIC SCHOOL FOR MARINE OFFICERS, RECRUIT TRAINING, AND MARINE COMBAT TRAINING (OR SCHOOL OF INFANTRY TRAINING) FOR ENLISTED MARINES) DOES NOT COUNT TOWARDS THE TOTAL AGGREGATE SERVICE. HOWEVER, THIS TIME DOES COUNT ONCE THE MEMBER HAS SERVED 24 MONTHS OF QUALIFYING ACTIVE DUTY.

B. FOR ALL OFFICERS WITHOUT EARLIER ESTABLISHED ELIGIBILITY, RESERVE OFFICER TRAINING CORPS SCHOLARSHIP RECIPIENTS AND SERVICE NAVAL ACADEMY GRADUATES, WITH THE EXCEPTION OF THE COAST GUARD ACADEMY, THE MINIMUM ACTIVE DUTY SERVICE REQUIREMENT FOR THESE PROGRAMS DOES NOT COUNT AS QUALIFYING ACTIVE DUTY. ONLY TIME SERVED AFTER COMPLETION OF THIS SERVICE OBLIGATION WILL BE CONSIDERED QUALIFYING ACTIVE DUTY SERVICE.

C. FOR ACTIVE COMPONENT OFFICERS IN THE COLLEGE LOAN REPAYMENT PROGRAM (CLRP) UNDER CHAPTER 109 OF TITLE 10, USC, THE SERVICE COMMITMENT FOR PARTICIPATION IN CLRP DOES NOT COUNT AS QUALIFYING ACTIVE DUTY. ONLY TIME SERVED AFTER COMPLETION OF THIS SERVICE OBLIGATION IS CONSIDERED QUALIFYING ACTIVE DUTY.

5. THIS PROGRAM IS NON-CONTRIBUTORY.

6. EDUCATIONAL BENEFITS:

A. TUITION AND FEES: THE AMOUNT PAID FOR TUITION AND FEES WILL NOT EXCEED THE MOST EXPENSIVE IN-STATE UNDERGRADUATE TUITION AT A PUBLIC INSTITUTION OF HIGHER LEARNING (IHL) IN THE STATE WHERE THE IHL IS LOCATED. TUITION AND FEES ARE PAID BY THE DVA DIRECTLY TO THE IHL.

B. MONTHLY STIPEND: A MONTHLY STIPEND, ESTABLISHED AT THE E-5 WITH DEPENDENTS BAH RATE, BASED ON THE ZIP CODE OF THE IHL IN WHICH THE MEMBER IS ENROLLED, IS PAYABLE TO THE MEMBER. THIS IS NOT PAYABLE WHEN THE MEMBER IS ON ACTIVE DUTY, NOR IS IT PAYABLE FOR THOSE PURSUING EDUCATION AND/OR TRAINING AT HALF TIME OR LESS OR TO SOME INDIVIDUALS TAKING DISTANCE LEARNING. THE DVA WILL DETERMINE UNDER WHAT, IF ANY, CIRCUMSTANCES AN INDIVIDUAL WILL BE ELIGIBLE FOR THE MONTHLY STIPEND WHILE UNDERTAKING DISTANCE LEARNING.

C. BOOKS AND SUPPLIES STIPEND: AN AMOUNT, UP TO 1,000 DOLLARS PER SCHOOL YEAR, IS PAYABLE TO THE MEMBER FOR BOOKS, SUPPLIES, EQUIPMENT, ETC. THIS IS NOT PAYABLE WHEN THE MEMBER IS ON ACTIVE DUTY. INDIVIDUALS ENROLLED AT HALF TIME OR LESS ARE ELIGIBLE FOR AN APPROPRIATELY REDUCED STIPEND FOR BOOKS AND SUPPLIES.

D. TUTORIAL ASSISTANCE: AN AMOUNT, UP TO 100 DOLLARS PER MONTH, NOT TO EXCEED A TOTAL OF 1,200 DOLLARS.

E. CERTIFICATE OF LICENSE: REIMBURSEMENT FOR ONE LICENSE OR CERTIFICATION TEST, NOT TO EXCEED A TOTAL OF 2,000 DOLLARS.

F. POST 9-11 GI BILL BENEFITS ARE SUBJECT TO CHANGE BASED ON LEGISLATIVE CHANGES.

7. PERCENTAGE OF BENEFITS PAYABLE: THE PERCENT OF EDUCATIONAL ASSISTANCE FOR EACH OF THE BENEFITS REFERRED TO ABOVE WILL BE BASED ON THE TOTAL AGGREGATE QUALIFYING ACTIVE DUTY SERVICE ACCRUED ON, OR AFTER 11 SEPTEMBER 2001. THE FOLLOWING EXAMPLES APPLY:

A. MEMBER WHO HAS COMPLETED A MINIMUM OF 36 MONTHS OR QUALIFYING ACTIVE DUTY SERVICE IS GENERALLY ENTITLED TO 100 PERCENT BENEFIT.

B. MEMBER WHO HAS COMPLETED BETWEEN 12 AND 18 MONTHS OF QUALIFYING ACTIVE DUTY SERVICE IS GENERALLY ENTITLED TO 60 PERCENT BENEFIT.

C. A MORE COMPREHENSIVE BREAKDOWN OF THE PERCENTAGE OF BENEFITS PAYABLE BASED ON QUALIFYING ACTIVE DUTY SERVICE IS AVAILABLE ON THE DVA GI BILL WEB SITE AT WWW.GIBILL.VA.GOV.

8. BENEFITS TO INDIVIDUAL MEMBERS WHILE SERVING ON ACTIVE DUTY ARE:

A. TUITION AND FEES CHARGED BY THE IHL OR;

B. IF USING TUITION ASSISTANCE (TA), THE AMOUNT NOT COVERED BY TA. THIS IS REFERRED TO AS "TOP-UP."

C. MEMBERS WHO ELECT TO USE POST 9-11 GI BILL BENEFITS WHILE ON ACTIVE DUTY WILL USE BENEFITS AT THE SAME RATE AS IF THEY WERE SEPARATED FROM SERVICE.

9. MEMBER HAS 15 YEARS FROM DATE OF LAST HONORABLE DISCHARGE OR SEPARATION FROM ACTIVE DUTY OF 90 DAYS OR MORE IN WHICH TO EXHAUST ENTITLEMENT.

10. TRANSFERABILITY OF ENTITLEMENT TO FAMILY MEMBERS:

A. ABILITY TO ELECT TRANSFER OF ENTITLEMENT TO DEPENDENTS IS EFFECTIVE ON, OR AFTER, 1 AUGUST 2009.

B. SERVICE MEMBERS ELIGIBLE TO TRANSFER ENTITLEMENTS:

(1) MEMBER MUST BE CURRENTLY SERVING IN THE ARMED FORCES WHEN APPROVAL TO TRANSFER ENTITLEMENT IS MADE. ARMED FORCES IS DEFINED AS ON ACTIVE DUTY OR SELECTED RESERVE (SELRES).

(2) MEMBER MUST BE ELIGIBLE FOR THE POST 9-11 GI BILL, AND

(3) MEMBER MUST HAVE COMPLETED A MINIMUM OF SIX (6) YEARS IN THE ARMED FORCES ON THE DATE OF ELECTION AND OBLIGATES FOR AN ADDITIONAL FOUR (4) YEARS IN THE ARMED FORCES FROM THE DATE OF ELECTION, OR

(4) MEMBER HAS COMPLETED A MINIMUM OF 10 YEARS IN THE ARMED FORCES ON THE DATE OF ELECTION, IS PRECLUDED BY EITHER STANDARD POLICY (SERVICE OR DOD) OR STATUTE FROM COMMITTING TO FOUR (4) ADDITIONAL YEARS, AND THE MEMBER AGREES TO SERVE FOR THE MAXIMUM AMOUNT OF TIME ALLOWED BY SUCH POLICY OR STATUTE, OR

(5) MEMBER IS OR BECOMES RETIREMENT ELIGIBLE DURING THE PERIOD FROM 1 AUGUST 2009 THROUGH 1 AUGUST 2013, AND AGREES TO SERVE THE ADDITIONAL PERIOD AS SPECIFIED BELOW. A MEMBER IS CONSIDERED TO BE RETIREMENT ELIGIBLE UPON COMPLETION OF 20 YEARS OF ACTIVE FEDERAL SERVICE OR 20 QUALIFYING YEARS AS COMPUTED UNDER SECTION 12732 OF TITLE 10, UNITED STATES CODE:

(A) MEMBERS ELIGIBLE FOR RETIREMENT ON 1 AUGUST 2009, NO ADDITIONAL SERVICE REQUIRED.

(B) MEMBERS WHO HAVE AN APPROVED RETIREMENT DATE AFTER 1 AUGUST 2009, AND BEFORE 1 JULY 2010, NO ADDITIONAL SERVICE REQUIRED.

(C) MEMBERS ELIGIBLE FOR RETIREMENT AFTER 1 AUGUST 2009, AND BEFORE 1 AUGUST 2010, 1 YEAR OF ADDITIONAL SERVICE IS REQUIRED.

(D) MEMBERS ELIGIBLE FOR RETIREMENT ON OR AFTER 1 AUGUST 2010, AND BEFORE 1 AUGUST 2011, 2 YEARS OF ADDITIONAL SERVICE IS REQUIRED.

(E) MEMBERS ELIGIBLE FOR RETIREMENT ON OR AFTER 1 AUGUST 2011, AND BEFORE 1 AUGUST 2012, 3 YEARS OF ADDITIONAL SERVICE IS REQUIRED.

(6) ACTIVE DUTY MEMBERS THAT SEPARATE, RETIRE, TRANSFER TO THE FLEET MARINE CORPS RESERVE OR WHO ARE DISCHARGED ON OR PRIOR TO 1 AUGUST 2009 ARE NOT ELIGIBLE TO ELECT TRANSFERABILITY. MEMBERS ON ACTIVE DUTY WHO SEPARATE OR ARE DISCHARGED ON OR PRIOR TO 1 AUGUST 2009, AND SUBSEQUENTLY AFFILIATE WITH THE SELRES, MAY QUALIFY FOR TRANSFERABILITY (ALL OTHER CRITERIA MET).

(7) SELRES MEMBERS WHO TRANSFER TO THE RETIRED RESERVE (WITH OR WITHOUT PAY), TRANSFER TO THE INDIVIDUAL READY RESERVE (IRR), TRANSFER TO A MOBILIZATION TRAINING UNIT (MTU) OR WHO ARE DISCHARGED ON OR PRIOR TO 1 AUGUST 2009, ARE NOT ELIGIBLE TO ELECT TRANSFERABILITY.

C. FAMILY MEMBERS ELIGIBILITY:

(1) MEMBERS MAY TRANSFER ENTITLEMENTS TO THEIR SPOUSE, TO ONE OR MORE OF THEIR CHILDREN, OR TO A COMBINATION OF BOTH. ONLY FAMILY MEMBERS LISTED IN THE DEFENSE ENROLLMENT ELIGIBILITY REPORTING SYSTEM (DEERS) MAY BE SELECTED TO RECEIVE TRANSFERRED ENTITLEMENT. PRIOR TO MAKING ELECTION, MEMBER MUST VERIFY AND UPDATE DEERS FAMILY MEMBER DATA. FOR APPLICATIONS FOR TRANSFERABILITY, THE MARINE CORPS IS RESPONSIBLE FOR VERIFYING THAT THE MEMBER HAS THE REQUIRED OBLIGATED ACTIVE SERVICE. AFTER THE MARINE HAS THE REQUIRED OBLIGATED SERVICE, THE MARINE CORPS WILL APPROVE THE APPLICATION AND FORWARD TO DVA FOR PROCESSING.

(2) MONTHS OF TRANSFER:

(A) MONTHS OF BENEFITS TRANSFERRED MUST BE IN WHOLE MONTHS.

(B) NUMBER OF MONTHS TRANSFERRED MAY NOT EXCEED THE LESSER OF:

1. NUMBER OF UNUSED MONTHS OF BENEFITS AVAILABLE UNDER THE POST 9-11 GI BILL, OR
2. 36 MONTHS, OR
3. NUMBER OF MONTHS SPECIFIED BY THE SECRETARY OF DEFENSE.

D. FAMILY MEMBER USAGE AND ENTITLEMENT:

(1) SPOUSE:

(A) MAY USE BENEFIT AFTER MEMBER COMPLETES THE MINIMUM SIX (6) YEARS OF SERVICE IN THE ARMED FORCES.

(B) MAY USE BENEFIT WHILE MEMBER REMAINS IN THE ARMED FORCES OR AFTER SEPARATION FROM ACTIVE DUTY AFTER COMPLETING THE ADDITIONAL SERVICE REQUIRED TO TRANSFER THE BENEFITS.

(C) IS ENTITLED TO SAME EDUCATIONAL BENEFITS AS THE MEMBER.

(D) IS NOT ELIGIBLE FOR THE MONTHLY STIPEND OR BOOKS AND SUPPLIES STIPEND WHILE SPONSOR IS ON ACTIVE DUTY.

(2) CHILD:

(A) MAY USE BENEFIT AFTER MEMBER COMPLETES AT LEAST 10 YEARS OF SERVICE IN THE ARMED FORCES.

(B) MAY USE BENEFIT WHILE MEMBER REMAINS IN THE ARMED FORCES OR AFTER SEPARATION FROM ACTIVE DUTY AFTER COMPLETING THE ADDITIONAL SERVICE REQUIRED TO TRANSFER THE BENEFITS.

(C) MAY NOT USE BENEFIT UNTIL THEY HAVE ATTAINED A SECONDARY SCHOOL DIPLOMA (OR EQUIVALENCY CERTIFICATE), OR REACHED 18 YEARS OF AGE.

(D) MAY NOT USE BENEFIT AFTER REACHING 26 YEARS OF AGE.

(E) IS ENTITLED TO SAME EDUCATIONAL BENEFITS AS THE MEMBER.

(F) IS ENTITLED TO THE MONTHLY STIPEND AND BOOKS AND SUPPLIES STIPEND EVEN THOUGH THE MEMBER IS ON ACTIVE DUTY.

E. TIME FOR TRANSFER, REVOCATION AND MODIFICATION:

(1) AN INDIVIDUAL HAS TO BE SERVING AS A MEMBER OF THE ARMED FORCES TO TRANSFER ENTITLEMENTS TO FAMILY MEMBERS, ADD DEPENDENTS, MODIFY THE NUMBER OF MONTHS OF BENEFITS, OR REVOKE THE TRANSFER OF ANY UNUSED PORTIONS OF THE ENTITLEMENT.

(2) AFTER RETIREMENT OR SEPARATION, A MEMBER MAY ONLY MODIFY THE NUMBER OF MONTHS OF BENEFITS FOR DEPENDENTS WHO HAD RECEIVED TRANSFERRED BENEFITS OR REVOKE TRANSFERRED BENEFITS, BUT MAY NOT ADD AND/OR TRANSFER TO NEW FAMILY MEMBERS.

11. FAILURE TO COMPLETE SERVICE AGREEMENT:

A. IF AN INDIVIDUAL TRANSFERRING ENTITLEMENT FAILS TO COMPLETE THE SERVICE AGREED TO, THE AMOUNT OF ANY TRANSFERRED ENTITLEMENT THAT IS USED BY THEIR DEPENDENT(S) AS OF THE DATE OF SUCH FAILURE SHALL BE TREATED AS AN OVERPAYMENT OF EDUCATIONAL ASSISTANCE AND WILL BE SUBJECT TO COLLECTION BY DVA.

B. THIS PROVISION SHALL NOT APPLY IN THE CASE OF AN INDIVIDUAL WHO FAILS TO COMPLETE SERVICE AGREED TO DUE TO:

(1) DEATH OF THE INDIVIDUAL,

(2) DISCHARGE OR RELEASE FROM ACTIVE DUTY OR SELECTED RESERVE FOR A MEDICAL CONDITION THAT PRE-EXISTED THE SERVICE OF THE MEMBER AND WAS NOT SERVICE CONNECTED,

(3) DISCHARGE OR RELEASE FROM ACTIVE DUTY OR SELECTED RESERVE FOR HARDSHIP,

(4) DISCHARGE OR RELEASE FROM ACTIVE DUTY OR SELECTED RESERVE FOR A PHYSICAL OR MENTAL CONDITION, NOT A DISABILITY, THAT DID NOT RESULT FROM THE INDIVIDUAL'S OWN WILLFUL MISCONDUCT, BUT DID INTERFERE WITH THE PERFORMANCE OF DUTY.

12. FUTURE MARADMINS WILL ADDRESS THE PROCEDURES FOR REQUESTING THE TRANSFERABILITY OF EDUCATIONAL BENEFITS AND THE ROLES AND RESPONSIBILITIES OF INDIVIDUAL MARINES AND MARINE UNITS. FOR ADDITIONAL POST 9-11 GI BILL ELIGIBILITY INFORMATION, REFER TO THE DVA GI BILL WEB SITE AT WWW.GIBILL.VA.GOV.

13. POLICIES AND PROCEDURES UNDER THIS PROGRAM ARE EFFECTIVE ON 1 AUGUST 2009.

14. RELEASE AUTHORIZED BY (SES) MR. M. F. APPLGATE, DIRECTOR, MANPOWER PLANS AND POLICY DIVISION, M&RA.//